

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 07-106

INTRODUCED BY: Willey

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR RYAN HOMES, PROPERTY OWNER YORK ROYALTON LLC, FOR A PARKING AREA ON THE LOT ADJACENT TO THEIR MODEL HOME IN THE VILLAS OF WORTHINGTON SUBDIVISION, AND DECLARING AN EMERGENCY

WHEREAS: Ryan Homes has submitted an application for a Conditional Use Permit for a parking area on the lot adjacent to their model home in the Villas of Worthington subdivision, which property is currently owned by York Royalton LLC; and

WHEREAS: The Planning Commission recommended approval of this application with conditions at their meeting on September 5, 2007; and

WHEREAS: Pursuant to NRCO 1262.07, Council has the authority to approve or disapprove such applications; and

WHEREAS: Council desires to approve this application.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO THAT:

Section 1. Council hereby approves the application of Ryan Homes for a Conditional Use Permit for a parking area on the lot adjacent to their model home in the Villas of Worthington subdivision, which property is currently owned by York Royalton LLC, subject to the conditions set forth in Section 2 below.

Section 2. The Conditional Use Permit granted herein is subject to the following conditions:

- a) The Conditional Use Permit is granted as to Sub Lot No. 2, 9871 Bentley Drive in the Villas of Worthington Subdivision only;
- b) This permit shall expire on September 1, 2009;
- c) Ryan Homes agrees to return the lot to its previous condition within 30 days after transfer of title of the model home or by September 1, 2009 whichever comes first;
- d) Ryan Homes shall construct a vinyl fence on the back side of the parking area;
- e) The parking area will be asphalt or concrete;
- f) The proposed drive and curb cut will be located so the curb cut can be used for the development of a home on the lot after use as a parking lot;
- g) Landscaping will be installed as approved by the ARB;
- h) If Ryan Homes completes construction of either the storm, sanitary and water connections on Sub Lot No. 2 where the parking lot will be constructed; said connections shall be finished at the parking lot grade with brass caps as per the recommendation of the City Engineer and subject to the City Engineer's approval.

Section 3. This Conditional Use Permit is approved only for the uses stated herein.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that this Council desires to immediately approve this Conditional Use Permit application.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Robert A. Stefanik
PRESIDENT OF COUNCIL

APPROVED: /s/ Cathy Luks
MAYOR

DATE PASSED: September 18, 2007

DATE APPROVED: September 19, 2007

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading September 18, 2007

YEAS: Stefanik, Bobulsky, Gentile, Willey,
McKee, Antoskiewicz, Uffman-Kirsch
NAYS: none